

Shasta LAFCO

Shasta Local Agency Formation Commission

1737 Yuba Street, Suite B, Redding, CA 96001

Phone: (530) 242-1112 Fax: (530) 242-1113 Web: www.shasta.lafco.ca.gov

MINUTES

Special Meeting – November 15, 2007

(These Minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)

CALL TO ORDER/ROLL CALL/INTRODUCTIONS

Vice Chairman Webster called the meeting to order at 10:00 a.m. at Anderson City Hall, 1878 Howard Street, Anderson, Ca. Commissioners Kehoe, Webster, Dickerson, Gover, Baugh and Alternate Commissioner Fust were present. Commissioner Langfield was absent. Executive Officer Mickelson, Counsel Johnson and Clerk Smith were present as staff.

PLEDGE OF ALLEGIANCE

Commissioner Baugh led the Pledge of Allegiance.

PUBLIC COMMENT

There was no public comment submitted.

MINUTES

The minutes of August 2, 2007 were presented. By motion made and seconded (Fust, Kehoe) the Commission approved the August 2, 2007 minutes as presented. Commissioner Baugh abstained.

The Executive Committee minutes of September 19, 2007 were presented and reviewed. No action was required as this was an information only item.

BUDGET & FISCAL AFFAIRS:

Consideration of Checking Account Statement

Ms. Mickelson presented three months worth of bank statements for review. By motion made and seconded (Baugh, Dickerson) the Commission approved the Tri Counties bank statements dated 08/19/07, 09/17/07 & 10/17/07 as presented.

FY 2007-08 1st Quarter Claims Register

The Claims Register was presented for review and adoption. By motion made and seconded (Baugh, Kehoe) the Commission approved the Claims Register.

FY 2007-08 Budget Update & Non-Budgeted Funds Request

Ms. Mickelson provided the Commission with a budget update as well as a funds transfer request for basic furniture and finishing needs for the new office. She explained that due to lower participation at the CALAFCO Conference, she estimates that there will be some funds available from that line item to assist in paying for these unbudgeted items. The additional amount requested should be transferred from the contingency line item amount. Commissioner Baugh was concerned that if these monies were taken from the contingency line item, next year this would increase the fees that are charged to the Special Districts to make up for today's funds transfer request. Commissioner Kehoe suggested contacting the County & Cities to see if they had any surplus furniture that LAFCO could use. Discussion followed.

By motion made and seconded (Baugh, Fust) the Commission approved transferring \$1000.00 from the transportation/travel line item and have \$1000.00 transferred to the Shasta LAFCO Tri Counties bank account. Staff was directed to contact the County and Cities to inquire about available furniture and to bring any remaining needs back to the Commission at the next regular meeting.

SPECIAL STUDIES/REPORTS

Municipal Service Reviews

Ms. Mickelson presented the board with an updated Municipal Service Reviews_Status Report. Commissioner Baugh suggesting sending final notices to the Special Districts who have not yet responded to our request for information. Commissioner Fust explained that many of the Special Districts are not looking to grow, so any sort of repercussions for not providing LAFCO with the requested information would most likely be ineffective. Commissioner Dickerson requested that a list of items that are need to complete the City of Redding MSR be provided to him and he would see to it that LAFCO staff would receive the information needed.

No action was required of the Commission at this time.

Report on Upcoming Proposals

The Executive Officer provided a brief report to the Commissioners regarding upcoming and expected proposals. Discussion followed. No action was taken.

OPERATIONS & ADMINISTRATION

Consider Invoice Language Regarding Non-Payment by LAFCO Payees

Ms. Mickelson explained that per Government Code Section 56381 et. al., the Auditor is responsible for apportioning and billing for LAFCO funds due from contributing agencies. In the past, LAFCO has struggled to collect payment from various contributing entities, but has not adopted a policy regarding forced collection. At this time, there are two entities that have not yet paid their LAFCO bill (approximately 150 days after the original billing). The Auditor's office has drafted language to be included on the next statement to these two entities; however, the Auditor's staff would like the proposed language to be supported by the Commission. Commissioner Baugh asked if the auditor is required to follow this mandate. Ms. Mickelson stated that the auditor is required to follow LAFCO mandate.

By motion made and seconded (Dickerson, Gover) the Commission approved the sample invoices with the language as presented.

Discussion: Phil Browning with Centerville CSD noted that in the past his District had problems with monies taken out that were assessment funds. Counsel Johnson added that some funds are indeed earmarked; what is being referred to here is property tax revenue & other revenues.

Adopt Resolution 07-12 for Finalize CalPERS Contract

By motion made and seconded (Dickerson, Fust) the Commission approved the final CalPERS contract.

January 1, 2008 Implementation of SB 162, Environmental Justice as a LAFCO Factor

Ms. Mickelson provided the Commission with a copy of SB 162 which takes effect on January 1, 2008. Commissioner Dickerson requested that it be noted that he voted no on both bills on today's agenda.

By motion made and seconded (Gover, Baugh) the Commission approved LAFCO staff to make the necessary changes to policy and application documents to include "environmental justice" as a factor in considering boundary changes as required by SB 162, as of January 1, 2008.

Consider Future Implementation of AB 745, Disclosure of Political Expenditures

Proposed policy drafted by CALAFCO was presented to the Commission. It was recommended that the Commissioners review the draft language and direct any questions to legal counsel or the Executive Officer prior to the next meeting. This item would then be placed on the next meeting agenda for action. No action was taken by the Commission.

OTHER BUSINESS

Announcement of Special District Election Results

Chair Webster announced the election results, naming the new Regular Special District Commissioners as Irwin Fust & Ms. Brenda Haynes. Mr. Stephen Morgan will serve as an Alternate Special District Commissioner.

Commissioner Kehoe left at 11:23 a.m.

Consider Process to Create a Third City Commissioner Position

At the August 2007 LAFCO meeting, Staff was directed to have discussions with each of the City Managers to inquire if this would be of interest to each of the cities and to report back on the next LAFCO agenda. Discussions with the City Managers were held as directed. The Redding and Shasta Lake City Councils voted to support the idea of a third LAFCO city seat being created. The Anderson City Manager supported the idea and will take it to a formal Council vote in the near future. Those results will be shared with the Commission when available.

In order to add a seat to the Commission, increasing the Commission membership to eight, special legislation would be required. Special legislation could be introduced to amend the Cortese-Knox-Hertzberg Local Government Reorganization Act (CKH) to stipulate that a third City seat be added to Shasta LAFCO.

Due to the fact that the City of Anderson has not taken formal action on the third LAFCO city seat being created, Ms. Mickelson recommends moving the item to the next LAFCO meeting.

Commissioner Dickerson moved to place the item on the next LAFCO agenda for further consideration. Commissioner Baugh provided the second. Discussion followed.

At 11:29 a.m., Mr. Robert Logan, a Shasta County resident & board member for Clear Creek Community Services District seated in the audience, spoke regarding this matter. He felt that the formation of the Commission for LAFCO was created with much thought and shouldn't change the basic structure to give the advantage to the Cities and not the Special Districts.

Commissioner Fust made the motion to amend the first motion to have it include submitting a letter to the County & Special Districts and receive their input on all three Cities having a permanent seat on the Commission.

By motion made and seconded (Fust, Baugh) the motion to amend failed with a 2-3 vote. Commissioners Dickerson, Gover and Webster voted no.

The original motion was then considered. The Commission approved moving the item to the next LAFCO meeting (6-1). Commissioner Fust voted no on the matter.

COMMISSIONER ANNOUNCEMENTS

Commissioner Fust informed the Commission that he recently attended the CALAFCO Conference in Sacramento. Commissioner Webster announced that he attended at training in San Jose on global warming.

Commissioner Baugh left at 11:47 a.m.

STAFF ANNOUNCEMENTS

Ms. Mickelson advised the Commission that the next LAFCO Commission meeting was tentatively scheduled for January 10th, 2008.

CLOSED SESSION

The Commission convened to Closed Session at 11:55 to discuss Public Employee Performance Evaluation (pursuant to Government Code Section 54954.5(e)) Title: LAFCO Analyst. Analyst Smith left the Chambers at this time.

CLOSED SESSION REPORT

At 11:59 a.m. Chair Webster reported that the Commission voted unanimously to approve a 5% raise for Analyst Smith effective 11/6/2007.

ADJOURNMENT

There being no further business, Chairman Webster adjourned the meeting at 12:00 p.m.

Respectfully submitted,

Jessica Smith
Clerk to the Commission

Date